



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 6077-99
21 March 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO memorandum 5420 N130D1/OU0132, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

5420
N130D1/OU0132

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF PETTY OFFICER
[REDACTED]

Encl: (1) BCNR File # 06077-99 with Microfiche Service Record

1. The following provides comment and recommendation on Petty
[REDACTED]

2. N130 recommends deny Petty Officer [REDACTED] petition for an
Enlistment Bonus (EB).

3. [REDACTED], a Navy Veteran (NAVET), reenlisted in
the Navy on 14 August 1998 for the Seafarer Advanced Electronics
Computer Field (AECF) School Guarantee. After reporting to
active duty, [REDACTED] discovered an alleged injustice
in his service record. He claims he is entitled to an EB for
the AECF program, and that the Navy Recruiter did not counsel
him that an EB was in effect for the guaranteed school he was
enlisting for upon coming back into the Navy. In his petition,
[REDACTED] requests the Board for Correction of Naval
Records (BCNR) amend his enlistment contract to include an EB.

4. EB is not an entitlement, but a recruiting tool used at the
discretion of recruiters and classifiers to entice individuals
to enlist in critical skills. The EB program is budgeted on
quotas provided to the Commander, Navy Recruiting Command and
the Enlisted Community Manager, not by the number of 'A' school
accession seats. Prior service members must enlist in paygrade
E-3 or below if establishing eligibility for an EB via
guaranteed Class 'A' school. [REDACTED] enlisted as a
E-4 (IC3) and therefore, is not eligible to a EB for enlisting
in the AECF rating. Recruits not eligible for EB are not
required to be counseled regarding the EB option.

5. BCNR case file with microfiche service record is returned
herewith as enclosure (1).

VICTOR D. MICKEL
Assistant, Enlisted Bonus
Programs Branch